THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.22863 of 2007

Date: 18.12.2007

Between:

G. Venkata Rama Raju.

... PETITIONER

AND

The Deputy Transport Commissioner and Secretary,
Vijayawada, and others.

... RESPONDENTS

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WRIT PETITION No.22863 of 2007

O R D E R:

Sri Tekkalakota Raghunath, the Deputy Transport Commissioner and Secretary, Regional Transport Authority, respondent No.1, filed an additional counter-affidavit, in which it is stated as under:

> "It is submitted that earlier I have filed the counter affidavit in the above matter stating that the competent authority for release of the vehicle under Rule 448-B of Andhra Pradesh Motor Vehicle Rules, 1989, is the Assistant Secretary. I hereby withdraw the said statement and I may be pardoned for doing so. On perusal of the Rule 448-B of Andhra Pradesh Motor Vehicle Rules, 1989, it is the Secretary, Regional Transport Authority, is the competent authority to pass the impugned order for release of the vehicle under Rule 448-B of Andhra Pradesh Motor Vehicle Rules, 1989. Hence I request this Hon'ble Court to condone the lapses on my part for stating that the releasing authority is Assistant Secretary (Regional Transport Officer) Gudivada, as the competent authority. However, the vehicle has been released by me in pursuance of the orders of this Hon'ble Court and hence the Writ Petition may be closed as the vehicle has already been released on 02.11.2007. This additional affidavit has been filed in order to put forward the correct contention of provision of law before this Hon'ble Court. This additional counter affidavit is filed herewith."

In view of the above reproduced portion of the additional counter-affidavit and release of the petitioner's vehicle, Sri Noushad Ali, learned counsel for the petitioner says that nothing survives for consideration in the writ petition and no further orders are required to be passed.

The writ petition is accordingly disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

December 18, 2007

GHN